



W.P(MD)No.31462 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.11.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.31462 of 2025

M.Thonthi @ Kalyani

... Petitioner

Vs.

1.The Secretary to the Government,
Public Works Department,
Fort St.George,
Chennai – 600 009.

2.The District Collector /
Monitoring Committee,
Theni District.

3.The Executive Engineer,
Public Works Department,
Water Resources Department,
(Periyar Vaigai Division),
Theni District.

4.The Revenue Divisional Officer,
Uthamapalayam,
Theni District.



W.P(MD)No.31462 of 2025

5.The Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam,
Theni District.

6.The Commissioner,
Cuddalore Municipality,
Theni District.

7.The Block Development Officer,
Cumbum Panchayat Union,
Cumbum,
Theni District.

8.K.Muthan

9.M.Elangovan

10.M.Selvam

11.M.Chinnammal

12.P.Vellai Durai

13.K.Packiya Lakshmi

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to forthwith remove all encroachments on the “Velankulam” pond (5 acres) in Survey No.1102 and the ancient cart track (Vandi Pathai) in Survey Nos.1360, 1361, 1071, 1071/2, 1072/2, 1099, 1100, 1063, 1101/1, 1102, 1103 and 1177 of Melakoodalur Village, Uthamapalayam Taluk, Theni District, and to restore the Pond and cart track to their original classification and status as public utilities.



W.P(MD)No.31462 of 2025

For Petitioner : Mr.V.Janakiramulu
For Respondents : Mr.S.Vinodh
Government Advocate
for R.1 to R.5

Mr.R.Raghavendran
Government Advocate
for R.7

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the official respondents. Considering the nature of relief to be granted, issuance of notice to the private respondents is dispensed with.

2.The petitioner is a resident of Melakoodalur Village in Uthamapalayam Taluk. He states that in the petition mentioned survey numbers, the lands have been classified as “water body and cart track”, there are encroachments. Encroachment either in water body or in a cart track will come under the objectionable category. The authorities are duty bound to ensure that such encroachments are cleared.

3.We direct the sixth respondent to take action as per law and restore the water body to its original condition. Notices shall be issued to the



W.P(MD)No.31462 of 2025

encroachers and if necessary, assistance from the Forest Department shall also be taken. In any event, the entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

4.This Writ Petition is allowed accordingly. No costs.

[G.R.S., J.] [B.P., J.]
06.11.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA

To

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4/6



W.P(MD)No.31462 of 2025

Uthamapalayam, Theni District.

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W.P(MD)No.31462 of 2025

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MGA

W.P(MD)No.31462 of 2025

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W.P(MD)No.31462 of 2025